

# **6 FAH-2 H-400 SOLICITATION, EVALUATION, AND AWARD**

## **6 FAH-2 H-410 SOLICITATION**

*(TL:CORH-1; 08-21-1997)*

### **6 FAH-2 H-411 GENERAL**

*(TL:CORH-1; 08-21-1997)*  
*(State Only)*

a. Previous chapters focused on the initial phase of the contracting process—preparing for the solicitation. This chapter discusses the second phase—solicitation, evaluation, and award. The U.S. Government communicates its requirements to the private sector by means of a solicitation document, the Invitation for Bids (IFB) or the Request for Proposals (RFP); evaluates bids/proposals; conducts negotiations (competitive negotiation method only); and awards a contract. In this phase, the Contracting Officer has primary responsibility, with the COR providing technical advice and support.

b. The 6 FAH-2 H-411 Exhibit H-411 lists COR responsibilities versus those of the Contracting Officer in the solicitation phase.

### **6 FAH-2 H-412 PUBLICIZING REQUIREMENTS**

*(TL:CORH-1; 08-21-1997)*  
*(State Only)*

The U.S. Government's policy is to obtain maximum competition consistent with the nature of the acquisition. Depending on the type of requirement, there are various methods used to obtain prospective sources under a competitive situation. The requirements and contracting offices should be jointly interested in assuring that adequate competition is obtained through the solicitation of bids or offers from as wide a range of sources as possible.

## **6 FAH-2 H-413 SOLICITATION MAILING LIST**

*(TL:CORH-1; 08-21-1997)*  
*(State Only)*

a. The ability of the U.S. Government to meet its acquisition goals is largely dependent upon the selection of responsible sources. The FAR requires that each contracting activity maintain a solicitation mailing list. The only exceptions to this requirement are when purchases are nonrecurring or can be obtained in the local trade area by use of simplified acquisition procedures.

b. The solicitation mailing list should contain the names of all eligible qualified suppliers that have submitted solicitation mailing list applications or that the contracting office considers capable of filling its needs. The solicitation is mailed to firms on the solicitation mailing list and to those who request it in response to the public notice. However, when the listed firms exceed a reasonable number, the firms being furnished the solicitation can be limited. This is a judgment factor balancing administrative costs against the need to obtain a sufficient number of sources. By rotation, all firms on the solicitation list will have an opportunity, over time, to receive solicitations.

c. Contracting Officers are required to make the solicitation mailing lists available to the public in response to a written request.

## **6 FAH-2 H-414 SOLICITATIONS**

*(TL:CORH-1; 08-21-1997)*  
*(State Only)*

a. The purpose of the solicitation (Invitation for Bids (IFB) for sealed bidding; Request for Proposals (RFP) for competitive negotiation) is to provide the information needed by prospective offerors to prepare an offer. The solicitation consists of all the terms, conditions, and provisions that will constitute the resulting contract, and will indicate all the information that prospective offerors are required to furnish to permit a meaningful and equitable evaluation of their proposals. It consists of a technical section, normally the Statement of Work, which describes the goods or services to be acquired; an administrative section providing instructions for the submission of proposals; the evaluation criteria and methods for proposal evaluation and contractor selection (if an RFP); proposed contract terms and conditions; and representations and certifications to be completed by the offeror.

b. An RFP will require that proposals be submitted in two parts—a "technical proposal" and a "business or cost/price proposal." Each part is to be complete in itself so that one may be evaluated independently of the other.

c. An RFP must include the evaluation criteria and their relative importance. Only the criteria set forth in the RFP can be used in evaluating proposals. The criteria cannot be modified without a formal amendment to the solicitation.

### **6 FAH-2 H-414.1 The Uniform Contract Format**

*(TL:CORH-1; 08-21-1997)*  
*(State Only)*

The Contracting Officer is responsible for preparing the solicitation. Much of the information in the solicitation is derived from the Procurement Request Package previously submitted by the requirements office. The Federal Acquisition Regulation requires

Contracting Officers to use the Uniform Contract Format outlined in 6 FAH-2 H-414 Exhibit H-414.1 when preparing solicitations and contracts. The uniform format facilitates preparation and review for both U.S. Government officials and offerors.

## **6 FAH-2 H-414.2 Solicitation Approval**

*(TL:CORH-1; 08-21-1997)*

*(State Only)*

a. **Request for Proposal (RFP).** The COR and all other members of the Technical Evaluation Panel (TEP) must be familiar with and understand the RFP prior to its release to the public. Make sure that TEP members understand what the Statement of Work requires the contractor to do. This avoids misinterpretations later during the evaluation process. Reach a consensus and understanding with all TEP members on what specifically is meant by each evaluation criterion. This ensures that proposals are evaluated consistently and should avoid any significant variations in scores.

b. **Invitation for Bids (IFB).** Since there is no TEP in a sealed bidding situation, the COR need only review and approve the IFB prior to its release.

c. **Solicitation Release.** Once the solicitation has been reviewed and approved, the Contracting Officer will print the solicitation and mail out a copy to all parties on the solicitation mailing list. A minimum of 30 calendar days proposal preparation time is required.

## 6 FAH-2 H-415 PRE-PROPOSAL CONFERENCES

(TL:CORH-1; 08-21-1997)  
(State Only)

a. The Contracting Officer, in consultation with the COR, may decide that a pre-proposal/pre-bid (before offers are submitted) conference is necessary to brief prospective offerors. It is generally used where the Statement of Work is complex. Whenever possible, the decision to hold a pre-proposal conference is made prior to the issuance of the solicitation so that a notice to that effect may be included in the solicitation. If the decision to hold the conference is made after the solicitation is issued, all recipients of the solicitation must be provided adequate notice of the time, date, location, purpose, and scope of the conference. The Contracting Officer and COR must ensure that answers to all significant questions are reduced to writing and that significant material is provided to all prospective offerors.

b. The Contracting Officer conducts the pre-proposal conference. The COR attends to advise on technical matters. The Contracting Officer is responsible for determining the agenda and ensuring that a record of conference proceedings is prepared for distribution to all recipients of the solicitation, whether or not they are in attendance.

c. The pre-proposal conference may be used to:

(1) Disclose any ambiguities, errors, or omissions in the solicitation that may later be corrected in a written amendment;

(2) Discuss any exceptional demands on a prospective contractor's capacity or capability; or

(3) Clarify complicated work statements and provide further insight into the scope and complexity of the project.

## 6 FAH-2 H-416 COMMUNICATIONS WITH OFFERORS

(TL:CORH-1; 08-21-1997)  
(State Only)

a. Between the time that a solicitation is issued and the contract is awarded, only authorized contracting personnel may have contact with the offerors. **The COR must refer, without answering, all questions received from prospective offerors to the Contracting Officer.** The solicitation gives the name of the Contracting Officer and states that only the Contracting Officer represents the U.S. Government. This procedure ensures that all prospective offerors receive equal treatment.

b. All correspondence to prospective contractors regarding the acquisition must be signed by the Contracting Officer and all correspondence from prospective contractors relating to the acquisition must be received by the Contracting Officer.

c. If, for any reason, one offeror is given information beyond what is contained in the solicitation, the same information must be given to all others responding to the solicitation by means of a formal amendment.

## **6 FAH-2 H-417 AMENDING THE SOLICITATION**

*(TL:CORH-1; 08-21-1997)*

*(State Only)*

- a. It may be necessary to amend the solicitation for such reasons as:
  - (1) Issues raised in the preproposal conference;
  - (2) The need to change the closing date for receipt of proposals;
  - (3) The need to correct defects or ambiguities; or
  - (4) Significant changes in quantity, specifications, or delivery schedules.

b. Amendments to solicitations are administratively expensive and may delay contract award. When an amendment is unavoidable, contracting personnel prepare and distribute the amendment to all recipients of the solicitation. The Contracting Officer shall not award a contract unless amendments made to the solicitation have been issued in sufficient time to be considered by prospective offerors.

## **6 FAH-2 H-418 AND H-419 UNASSIGNED**

# 6 FAH-2 H-411 Exhibit H-411 RESPONSIBILITIES

(TL:CORH-1; 08-21-1997)

PROCUREMENT STAGE	COR RESPONSIBILITIES	CO RESPONSIBILITIES
<ul style="list-style-type: none"> <li>Preparing the Solicitation</li> </ul>	<ul style="list-style-type: none"> <li>Provide technical input to the CO</li> <li>Secure TEP approval of the solicitation</li> <li>Assist CO in pre-proposal conference, if necessary</li> <li>Forward all questions from offerors to the CO</li> </ul>	<ul style="list-style-type: none"> <li>Prepare draft solicitation for TEP review and approval</li> <li>Prepare final solicitation</li> <li>Send to all on source list</li> <li>Respond to inquiries</li> <li>Hold pre-proposal conference, if necessary</li> <li>Amend solicitation, if necessary</li> <li>Cancel solicitation, if necessary</li> </ul>
<ul style="list-style-type: none"> <li>Evaluating Proposals</li> </ul>	<ul style="list-style-type: none"> <li>Prepare Technical Evaluation Plan</li> <li>Provide technical input to TEP</li> <li>Prepare TEP report</li> </ul>	<ul style="list-style-type: none"> <li>Advise TEP</li> <li>Review cost proposals</li> <li>Establish competitive range</li> <li>Control discussions/ negotiations with offerors</li> <li>Evaluate and advise on TEP report</li> </ul>
<ul style="list-style-type: none"> <li>Negotiation and Award</li> </ul>	<ul style="list-style-type: none"> <li>Provide technical input to CO</li> <li>Assist in negotiations, as necessary</li> <li>Assist in debriefings, as necessary</li> </ul>	<ul style="list-style-type: none"> <li>Supervise negotiations</li> <li>Complete award process</li> <li>Notify unsuccessful offerors</li> <li>Conduct debriefings</li> </ul>

# **6 FAH-2 H-414 Exhibit H-414.1 UNIFORM CONTRACT FORMAT**

*(TL:CORH-1; 08-21-1997)*

## **Part I—The Schedule**

Section A—Solicitation/Contract Form

Section B—Supplies or Services and Prices/Costs

Section C—Description/Specifications/Work Statement

Section D—Packaging and Marking

Section E—Inspection and Acceptance

Section F—Deliveries or Performance

Section G—Contract Administration Data

Section H—Special Contract Requirements

## **Part II—Contract Clauses**

Section I—Contract Clauses

## **Part III—List of Documents, Exhibits, and Other Attachments**

Section J—List of Attachments

## **Part IV—Representations and Instructions**

Section K—Representations, Certifications, and other Statements of Offerors

Section L—Instructions, Conditions, and Notices to Offerors

Section M—Evaluation Factors for Award